

MAH

04-26-02

MPB

PATENTS  
103140-0014U



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re The Application of:  
Andrew Sutherland et al.  
  
Serial No.: 10/075,710  
  
Filed: February 14, 2002  
  
For: PEER-TO-PEER ENTERPRISE  
STORAGE

Examiner: not yet assigned

Art Unit: 2661

Cesari and McKenna, LLP  
88 Black Falcon Avenue  
Boston, MA 02210  
April 25, 2002

"Express Mail" Mailing-Label Number: EL736452474 US

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

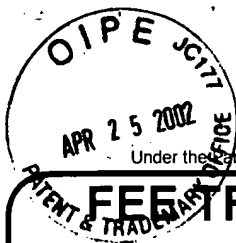
Sir:

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Enclosed in response to the Notice to File Missing Parts of Application-Filing Date Granted mailed March 12, 2002, is a Declaration for Patent Application executed by the inventors, along with a check for \$65.00 to cover the surcharge for this Response. The above-referenced application filed in the Patent and Trademark Office is the application that the inventors executed by signing the enclosed Declaration.

Also enclosed is a substitute set of formal drawing sheets containing corrected versions of Figs. 1-12. The margins on the substitute drawing sheets have been corrected

10075710-04992



# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

## Complete if Known

Application Number	10/075,710
Filing Date	February 14, 2002
First Named Inventor	Andrew Sutherland et al.
Examiner Name	not yet assigned
Group Art Unit	2661
Attorney Docket No.	103140-0014U

TOTAL AMOUNT OF PAYMENT (\$)  
65

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number: 03-1237
- Deposit Account Name: Cesari and McKenna, LLP
- ☒ Charge Any Additional Fee Required Under 37 C.F.R. §§1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27
2. ☒ Payment Enclosed:
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
101	201	740	370	Utility filing fee	
106	206	330	165	Design filing fee	
107	207	510	255	Plant filing fee	
108	208	740	370	Reissue filing fee	
114	214	160	80	Provisional filing fee	
SUBTOTAL (1)					0

### 2. EXTRA CLAIM FEES

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
20**	3**		0	0	0

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description
103	203	18	9	Claims in excess of 20
102	202	84	42	Independent claims in excess of 3
104	204	280	140	Multiple dependent claim, if not paid
109	209	84	42	**Reissue independent claims over original patent
110	210	18	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)  
0

\*\*or number previously paid, if greater; For Reissues, see below

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code	Small Entity Fee Code	Fee (\$)	Fee (\$)	Fee Description	Fee Paid
105	205	130	65	Fee Surcharge - late filing fee or oath	65
127	227	50	25	Surcharge - late provisional filing fee or cover sheet	
139	239	130	130	Non-English Specification	
147	247	2,520	2,520	For filing a request for ex parte reexamination	
112	212	920	920*	Requesting publication of SIR prior to Examiner action	
113	213	1,840	1,840*	Requesting publication of SIR after Examiner action	
115	215	110	55	Extension for reply within first month	
116	216	400	200	Extension for reply within second month	
117	217	920	460	Extension for reply within third month	
118	218	1,440	720	Extension for reply within fourth month	
128	228	1,960	980	Extension for reply within fifth month	
119	219	320	160	Notice of Appeal	
120	220	320	160	Filing a brief in support of an appeal	
121	221	280	140	Request for oral hearing	
138	238	1,510	1,510	Petition to institute a public use proceeding	
140	240	110	55	Petition to revive - unavoidable	
141	241	1,280	640	Petition to revive - unintentional	
142	242	1,280	640	Utility Issue fee (or reissue)	
143	243	460	230	Design Issue fee	
144	244	620	310	Plant Issue fee	
122	222	130	130	Petitions to the Commissioner	
123	223	50	50	Processing fee under 37 CFR 1.17(q)	
126	226	180	180	Submission of Information Disclosure Stmt	
581	2581	40	40	Recording each patent assignment per property (times number of properties)	
146	246	740	370	Filing a submission after final rejection (37 CFR 1.129(a))	
149	249	740	370	For each additional invention to be examined (37 CFR 1.129(b))	
179	279	740	370	Request for Continued Examination (RCE)	
169	269	900	900	Request for expedited examination of a design application	

Other fee (specify)

Other fee (specify)

SUBTOTAL (3) (\$)  
65

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Patricia A. Sheehan	Registration No. (Attorney/Agent)	32,301	Telephone	(617) 951-2500
Signature	Patricia A. Sheehan	Date	April 25, 2002		

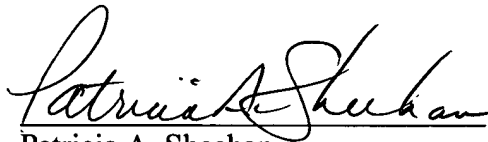
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Office, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OF COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

and should now be in compliance with 37 CFR 1.84. Further, please substitute the enclosed Abstract for the Abstract currently in the application. As required a replacement page is enclosed.

Please charge any additional fee occasioned by this paper to our Deposit Account  
No: 03-1237.

Respectfully submitted,



Patricia A. Sheehan  
Reg. No. 32,301  
CESARI AND MCKENNA, LLP  
88 Black Falcon Avenue  
Boston, MA 02210-2414  
(617) 951-2500

10076710-04802  
205240-01592001



APR 25 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

103140-0014U  
PASCOMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/075,710	02/14/2002	Andrew Sutherland	103140-0014U

CONFIRMATION NO. 8378

## FORMALITIES LETTER



\*OC000000007622219\*

24267  
CESARI AND MCKENNA, LLP  
88 BLACK FALCON AVENUE  
BOSTON, MA 02210cu msg Parts 4/12/02  
msg Parts Due 5/12/02

Date Mailed: 03/12/2002

N/A

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- An Abstract not to exceed 150 words in length, commencing on a separate sheet (37 CFR 1.72(b)).

A copy of this notice **MUST** be returned with the reply.

04/30/2002 GGEBREGI 00000007 10075710

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